No FEAR Act

Equal Employment Opportunity Data

Fiscal Year 2017, Fourth Quarter

U.S. Customs and Border Protection

Office of the Commissioner

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Equal Employment Opportunity Data Posted Pursuant to the No Fear Act: CBP (and below)

For 4th Quarter 2017 for period ending September 30, 2017

1. Complaint Activity

Total	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Number of Complaints Filed	261	245	220	235	310	268
Number of Complainants	245	229	207	226	296	262
Repeat Filers	14	16	10	9	14	5

2. Complaints by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	59	66	63	59	67	65
Color	18	13	15	14	21	17
Religion	13	9	11	11	9	10
Reprisal	119	106	110	109	138	128
Sex	87	76	65	75	100	88
PDA	4	1	2	6	4	6
National Origin	57	44	50	49	77	57
Equal Pay Act	0	1	0	0	0	2
Age	88	71	47	82	80	66
Disability	52	38	48	55	88	59
Genetics	0	2	2	0	2	1
Non-EEO	14	7	7	15	18	16

3. Complaints by Issue

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	9	9	9	12	10	15
Assignment of Duties	45	26	32	25	51	46
Awards	5	3	4	8	9	8
Conversion to Full Time/Perm Status	0	0	0	0	1	0
Discipline: Demotion	3	0	1	1	0	1
Discipline: Reprimand	10	18	14	7	5	25
Discipline: Suspension	15	12	14	11	17	15
Discipline: Removal	3	0	1	2	4	3
Duty Hours	6	5	2	4	8	2
Perf. Eval./Appraisal	4	6	2	6	5	10
Examination/Test	1	4	2	2	2	2
Harassment: Non-Sexual	89	88	103	93	151	125
Harassment: Sexual	7	10	11	14	7	13
Medical Examination	7	3	6	6	9	5
Pay Including Overtime	11	10	15	7	7	15
Promotion/Non-Selection	56	46	41	48	66	62
Reassignment: Denied	9	12	8	13	11	3
Reassignment: Directed	7	5	6	2	3	4
Reasonable Accommodation Disability	11	10	13	7	21	18
Reinstatement	1	0	2	3	1	0
Religious Accommodation	0	0	0	0	3	2
Retirement	2	1	3	1	1	0
Sex-Stereotyping	0	0	0	0	1	0
Telework	0	0	0	0	3	1
Termination	16	5	8	12	11	11
Terms/Conditions of Employment	27	15	13	14	16	18
Time and Attendance	22	8	8	11	22	20
Training	6	8	5	2	9	14

4. Processing Time

a. Complaints Pending During Fiscal Year

Processing Time	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Average Number of Days in Investigation	175.65	163.12	189.43	166.12	181.06	228.10
Average Number of Days in Final Action	115.36	86.51	51.45	48.72	62.79	99.28

b. Complaints Pending During Fiscal Year Where Hearing was Requested

Processing Time	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Average Number of Days in Investigation	179.53	160.28	191.69	168.19	182.78	223.08
Average Number of Days in Final Action	21.87	25.00	26.55	37.35	50.85	64.64

c. Complaints Pending During Fiscal Year Where Hearing was Not Requested

Processing Time	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Average Number of Days in Investigation	168.56	175.46	184.36	160.80	182.69	240.37
Average Number of Days in Final Action	210.22	149.17	103.64	67.58	81.50	146.24

5. Complaints Dismissed by the Agency

Complaints Dismissed by Agency	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Total Complaints Dismissed by Agency	32	32	37	27	23	19
Average Days Pending Prior to Dismissal	109	140	103	78	104	119

6. Complaints Withdrawn by Complainants

Complaints Withdrawn by Complainants	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Total Complaints Withdrawn by Complainants	45	18	27	34	41	27

7. Total Final Agency Actions Finding Discrimination

a. Final Agency Actions Finding Discrimination: Breakdown by Number

Total Final Agency Actions Finding Discrimination	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Findings Without Hearing	1	1	0	0	6	3
Findings With Hearing	4	1	4	1	3	0
Total Number of Findings	5	2	4	1	9	3

b. Final Agency Actions Finding Discrimination: Breakdown by Percentage

Total Final Agency Actions Finding Discrimination	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Findings Without Hearing	20%	50%	0%	0%	67%	100%
Findings With Hearing	80%	50%	100%	100%	33%	0%

8. Findings of Discrimination Rendered by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

a. Total Number of Findings

1. Basis Breakdown by Number

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	0	0	1	0	2	1
Color	1	0	0	0	1	0
Religion	0	0	0	0	0	0
Reprisal	3	1	1	0	5	3
Sex	3	0	2	0	6	2
PDA	0	0	0	0	0	0
National Origin	1	0	2	0	3	1
Equal Pay Act	0	0	0	0	0	0
Age	1	0	2	2	2	2
Disability	0	1	3	0	3	0
Genetics	0	0	0	0	0	0
Non-EEO	1	0	0	0	1	0
Total	5	2	5	2	8	3

2. Basis Breakdown by Percentage

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	0%	0%	20%	0%	25%	33%
Color	20%	0%	0%	0%	13%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	60%	50%	20%	0%	63%	100%
Sex	60%	0%	40%	0%	75%	67%
PDA	0%	0%	0%	0%	0%	0%
National Origin	20%	0%	40%	0%	38%	33%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	20%	0%	40%	100%	25%	67%
Disability	0%	50%	60%	0%	38%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	20%	0%	0%	0%	13%	0%

b. Findings After Hearing

1. Basis Breakdown by Number

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	0	0	1	0	1	0
Color	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	3	1	1	0	3	0
Sex	3	0	0	0	3	0
PDA	0	0	0	0	0	0
National Origin	0	0	1	0	3	0
Equal Pay Act	0	0	0	0	0	0
Age	1	0	1	1	2	0
Disability	0	0	2	0	1	0
Genetics	0	0	0	0	0	0
Non-EEO	1	0	0	0	0	0
Total	4	1	3	1	3	0

2. Basis Breakdown by Percentage

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	0%	0%	33%	0%	33%	0%
Color	0%	0%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	75%	100%	33%	0%	100%	0%
Sex	75%	0%	0%	0%	100%	0%
PDA	0%	0%	0%	0%	0%	0%
National Origin	0%	0%	33%	0%	100%	0%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	25%	0%	33%	100%	67%	0%
Disability	0%	0%	67%	0%	33%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	25%	0%	0%	0%	0%	0%

c. Findings Without Hearing

1. Basis Breakdown by Number

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	0	0	0	0	1	1
Color	1	0	0	0	1	0
Religion	0	0	0	0	0	0
Reprisal	0	0	0	0	2	3
Sex	0	0	2	0	3	2
PDA	0	0	0	0	0	0
National Origin	1	0	1	0	0	1
Equal Pay Act	0	0	0	0	0	0
Age	0	0	1	1	0	2
Disability	0	1	1	0	2	0
Genetics	0	0	0	0	0	0
Non-EEO	0	0	0	0	1	0
Total	1	1	2	1	5	3

2. Basis Breakdown by Percentage

Basis	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Race	0%	0%	0%	0%	20%	33%
Color	100%	0%	0%	0%	20%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	0%	0%	0%	0%	40%	100%
Sex	0%	0%	100%	0%	60%	67%
PDA	0%	0%	0%	0%	0%	0%
National Origin	100%	0%	50%	0%	0%	33%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	0%	0%	50%	100%	0%	67%
Disability	0%	100%	50%	0%	40%	0%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	0%	0%	0%	20%	0%

9. Findings of Discrimination Rendered by Issue

a. Total Number of Findings by Issue

1. Issue Breakdown by Number

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	0	0	0	0	0	0
Assignment of Duties	1	0	2	0	2	2
Awards	0	0	0	0	1	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	1	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	1	0	0	0	0	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	1	0	3	1	2	1
Harassment: Sexual	0	0	0	0	2	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	1	0	0	0	0	0
Promotion/Non-Selection	2	0	2	1	2	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	1	1	0	0	0
Reasonable Accommodation Disability	0	1	0	0	1	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	1	0	0
Terms/Conditions of Employment	0	0	0	0	0	1
Time and Attendance	0	0	1	0	0	0
Training	0	0	0	0	0	0
Total	5	2	5	2	8	3

2. Issue Breakdown by Percentage

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	0%	0%	0%	0%	0%	0%
Assignment of Duties	20%	0%	40%	0%	25%	67%
Awards	0%	0%	0%	0%	13%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	20%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	20%	0%	0%	0%	0%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	20%	0%	60%	50%	25%	33%
Harassment: Sexual	0%	0%	0%	0%	25%	0%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	20%	0%	0%	0%	0%	0%
Promotion/Non-Selection	40%	0%	40%	50%	25%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	50%	20%	0%	0%	0%
Reasonable Accommodation Disability	0%	50%	0%	0%	13%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	0%	0%	0%	50%	0%	0%
Terms/Conditions of Employment	0%	0%	0%	0%	0%	33%
Time and Attendance	0%	0%	20%	0%	0%	0%
Training	0%	0%	0%	0%	0%	0%

b. Findings After Hearing

1. Issue Breakdown by Number

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	0	0	0	0	0	0
Assignment of Duties	1	0	1	0	1	0
Awards	0	0	0	0	1	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	1	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	1	0	0	0	0	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	0	0	3	1	0	0
Harassment: Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	1	0	0	0	0	0
Promotion/Non-Selection	2	0	1	0	2	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	1	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	1	0	0
Terms/Conditions of Employment	0	0	0	0	0	0
Time and Attendance	0	0	1	0	0	0
Training	0	0	0	0	0	0
Total	4	1	3	1	3	0

2. Issue Breakdown by Percentage

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	0%	0%	0%	0%	0%	0%
Assignment of Duties	25%	0%	33%	0%	33%	0%
Awards	0%	0%	0%	0%	33%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	33%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	25%	0%	0%	0%	0%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	0%	0%	100%	100%	0%	0%
Harassment: Sexual	0%	0%	0%	0%	0%	0%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	25%	0%	0%	0%	0%	0%
Promotion/Non-Selection	50%	0%	33%	0%	67%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	100%	0%	0%	0%	0%
Reasonable Accommodation Disability	0%	0%	0%	0%	0%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	0%	0%	0%	100%	0%	0%
Terms/Conditions of Employment	0%	0%	0%	0%	0%	0%
Time and Attendance	0%	0%	33%	0%	0%	0%
Training	0%	0%	0%	0%	0%	0%

c. Findings Without Hearing

1. Issue Breakdown by Number

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	0	0	0	0	0	0
Assignment of Duties	0	0	1	0	1	2
Awards	0	0	0	0	0	0
Conversion to Full Time/Perm Status	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Perf. Eval./Appraisal	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0
Harassment: Non-Sexual	1	0	0	0	2	1
Harassment: Sexual	0	0	0	0	2	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	0
Promotion/Non-Selection	0	0	1	1	0	0
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	0	0	1	0	0	0
Reasonable Accommodation Disability	0	1	0	0	1	0
Reinstatement	0	0	0	0	0	0
Religious Accommodation	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	1
Time and Attendance	0	0	0	0	0	0
Training	0	0	0	0	0	0
Total	1	1	2	1	5	3

2. Issue Breakdown by Percentage

Issue	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Appointment/Hire	0%	0%	0%	0%	0%	0%
Assignment of Duties	0%	0%	50%	0%	20%	67%
Awards	0%	0%	0%	0%	0%	0%
Conversion to Full Time/Perm Status	0%	0%	0%	0%	0%	0%
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand	0%	0%	0%	0%	0%	0%
Discipline: Suspension	0%	0%	0%	0%	0%	0%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Duty Hours	0%	0%	0%	0%	0%	0%
Perf. Eval./Appraisal	0%	0%	0%	0%	0%	0%
Examination/Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	100%	0%	0%	0%	40%	33%
Harassment: Sexual	0%	0%	0%	0%	40%	0%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion/Non-Selection	0%	0%	50%	100%	0%	0%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	0%	0%	50%	0%	0%	0%
Reasonable Accommodation Disability	0%	100%	0%	0%	20%	0%
Reinstatement	0%	0%	0%	0%	0%	0%
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement	0%	0%	0%	0%	0%	0%
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	0%	0%	0%	0%	0%	0%
Terms/Conditions of Employment	0%	0%	0%	0%	0%	33%
Time and Attendance	0%	0%	0%	0%	0%	0%
Training	0%	0%	0%	0%	0%	0%

10. Pending Complaints Filed in Previous Fiscal Years by Status

a. Total Complaints and Complainants

Pending Complaints Filed in Previous Years by Status	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Total Complaints from Previous Fiscal Year	405	356	210	223	240	330
Total Complainants	341	299	180	188	214	295

b. Number of Complaints Pending

Status	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Investigation	6	1	0	0	0	3
ROI Issued, Pending Complainant's Action	0	0	0	1	0	5
Hearing	175	161	191	210	215	296
Final Agency Action	14	12	18	11	24	19
Appeal with EEOC Office of Federal Operations	59	66	221	55	69	84

11. Complaint Investigations

Complaint Investigation	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017 (through 9/30/17)
Pending Complaints Where Investigations Exceed Required Time Frames	8	5	0	0	0	8